Ordinance No. O2016-06-002

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NOGALES, ARIZONA, AMENDING CITY DEVELOPMENT STANDARDS CODE ARTICLE 8-19 "SUBDIVISION PLATTING PROCEDURES" TO ADD SECTIONS 8-19-10 AND 8-19-11 RELATING TO BLOCK PLATS AND PLAT ABANDONMENTS (P & Z)

BE IT ORDAINED by the Mayor and the Council of the City of Nogales, Arizona, as follows:

Section 1: Nogales Development Standards Code Article 8-19 "Subdivision Platting Procedures" is hereby amended to add new sections 8-19-10 and 8-19-11, which shall read as follows:

SEC. 8-19-10 Block Plats

A. **Purpose**

The block plat process allows a subdivider to divide a parcel of land into ten or fewer lots without the necessity of a tentative plat, subject to the requirements of this section and as allowed for by A.R.S. §9-463.01(U). A block plat may be used to abandon a previously recorded plat. Although a tentative plat is not required, additional information shall be submitted as needed to review the project for compliance with all governmental regulations and good engineering practices. Additional information that may need to be provided includes but is not limited to the following: a geotechnical report, grading plan, drainage report, phasing plan, title report, or other documents that the city deems necessary to review for compliance with all applicable standards.

B. **Applicability**

Any proposed block plat shall be submitted to the Planning and Zoning Department for review and decision as provided below.

C. **Pre-application Conference Required**

A pre-application conference is required, at which the Director shall inform the applicant of the requirements of Section 8-19-3 *Preliminary Plat Stage* that shall be met prior to submitting the final block plat for review and recommendation to the Commission and approval to Mayor and Council.

D. **Application, Review, Decision, and Recordation**

1. Block plats shall be prepared, reviewed for compliance with subsection E *Criteria*, below, and considered for approval in accordance with Section 8-19-5, *Final Plat Process*, with the exception that a pre-application conference is required.
2. After approval of the block plat by the Mayor and Council, the block plat must be recorded with the Office of the Santa Cruz County Recorder within 90 days.

E. **Criteria**

Block plats must:

1. Result in ten or fewer lots;
2. Result in lots/blocks that conform to the minimum lot size requirements of the property's zoning district;
3. Provide access to the proposed lots in accordance with this Article;
4. Provide for all necessary subdivision improvements in accordance with this Article, including a reference on the cover sheet of the security for completion of subdivision improvements;
5. Conform to all City, state and federal regulations;
6. Result in lots of at least the minimum size required to build in conformance with the applicable zoning including any natural, environmental and floodplain requirements;
7. Contain an acknowledgment on the cover sheet of the plat that future lot splits are limited by the number authorized in A.R.S. § 9-463.02(A) and by the minimum area requirement of the

relevant zoning district.

8. When used to abandon a plat, the disposition of the public right-of-way and utility easements created by the abandoned plat is provided.

SEC. 8-19-11 Plat Abandonment

A recorded plat that is filed for the purpose of abandoning the plat, meaning reverting to the configuration of land prior to its recorded subdivision, or vacating streets or easements previously dedicated to the public; or vacating or redescribing lot or parcel boundaries previously recorded, may be replatted in accordance with Section 8-19-10, *Block Plats*, if all other criteria of Subsection 8-19-10.E, *Criteria*, are met. Otherwise, the plat shall be replatted in accordance with Sections 8-19-4, *Tentative Plat*, and 8-19-5, *Final Plats*.

Section 2: All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such conflict.

Section 3: This Ordinance shall take effect thirty days from enactment.

Section 4: In the event any provision in this ordinance is held invalid by any court of competent jurisdiction, the remaining provisions in this ordinance shall be deemed severable and shall remain in full force and effect.

Section 6: The City Clerk is directed to publish the text of this Ordinance in a newspaper of general circulation for two (2) consecutive weeks after its effective date, and further to post a copy of this Ordinance in three (3) or more public places within the City.

PASSED, ADOPTED, AND APPROVED by the Council of the City of Nogales, Arizona, this 08th day of June, 2016.

John F. Doyle

John F. Doyle, Mayor

ATTEST:

Leticia Robinson, City Clerk

APPROVED AS TO FORM:

Jose L. Machado, City Attorney